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OLC 77-1810

4 May 1977

FOIA
HSCA
77-0014/18

MEMORANDUM FOR THE RECORD

SUBJECT: Meeting with Mr. Stephen Fallis, Deputy Chief Counsel, House Select Committee on Assassinations (HSCA)

1. I met with Mr. Fallis in his office for about 25 minutes on this date. We had agreed by phone to get together for a general discussion. In addition, Mr. Fallis had five summary investigative reports on staffers of the Committee which he wished passed to the CIA Director of Security for determination on whether these individuals met the standards of DCID 1/14. I also had an FOIA release concerning James Earl Ray which I wished to provide to the Committee in accordance with previous practices.

2. The discussion immediately turned to clearances and Mr. Fallis seemed rather embarrassed to inform me that the five summary reports had been returned to the FBI because the Committee had some question about the substance of these reports. For example, he stated that an allegation would be contained wherein an anonymous informant would state that he did not believe the subject of the investigation should be trusted with national security information. Fallis said that they did not know how to handle this type of allegation and they were asking the FBI for more amplification. I told Mr. Fallis that I was not familiar with the details of investigative procedures and could not comment one way or the other.

3. Mr. Fallis commented that the Bureau had been able to conduct their investigation on these five subjects in a period of about two weeks. An additional group of more than 50 requests for investigation had been submitted to the FBI and he hopes to have them back by mid-May. He did not indicate whether they intended for this to be the full number of staffers to receive clearances in accordance with DCID 1/14.

4. We then discussed procedures in very general terms. I informed him that I was not prepared to go over a draft with him today, since some coordination was still in process on the agreement we had drawn up. I explained that since our last discussions, in December 1976, two other committees in the House of Representatives would be dealing with us regarding allegations of improper activity by the KCIA. As much as possible, we thought that the same general procedures should apply to other committees in the House. He agreed but asked that the HSCA not be presented with a fait accompli wherein we may have reached an agreement with one of the other committees first. I assured Mr. Fallis that that

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would not occur. In the course of this discussion, Mr. Fallis mentioned the HSCA security officer. I asked who this was and what background he had in security. He replied that their first security officer, a Mr. Kelly, had returned to the Senate Select Committee on Intelligence and that his assistant--a Mr. Morrison--was filling that position. Mr. Fallis stated that he thought Mr. Morrison had had some security experience in the Navy.

5. Mr. Fallis then presented me with a copy (attached) of an employee non-disclosure agreement that the HSCA staff had developed. I told him that we would examine this agreement and get back to him. He said they felt it very necessary to have such an agreement since they expect that some employees would be leaving because of the "turmoil" the Committee had been through and they wanted a good, binding agreement.

6. In conclusion, Mr. Fallis inquired as to whether we were ready to begin working with the Committee. I replied that we were prepared after certain administrative and security procedures had been agreed upon. We parted on this note and I told him that I would be back in touch in a few days. Mr. Fallis appeared to be far more relaxed and much less aggressive than he had been in previous encounters last fall.

Douglas T. Cummins
Chief, Coordination and Review Staff
Office of Legislative Counsel

Attachment:
As stated

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